

RESPONSE AFTER FINAL REJECTION

EXPEDITED PROCEDURE - RULE 116

Application No. 10/788,732

EI-7624 (62028.US)

AMENDMENTS TO THE CLAIMS

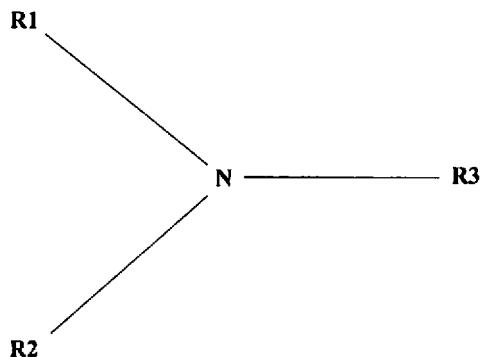
1-19. (CANCELED)

20. (CURRENTLY AMENDED) A method of improving the friction durability of a transmission fluid comprising:

preparing a transmission fluid by adding to a base oil, an additive composition comprising:

an ashless dispersant, present in an amount from 3 to 5 wt% based on the transmission fluid and

an oil-soluble aliphatic tertiary amine component, wherein the oil-soluble aliphatic tertiary amine component comprises an oil-soluble aliphatic tertiary amine of the formula



wherein the R1 group comprises an alkyl or alkenyl group having about 1 to about 4 carbon atoms, and the R2 and R3 groups independently comprise any one of an alkyl, an alkenyl, an alkoxyalkyl, an alkynyl, an alkylthioalkyl, a haloalkyl, and a haloalkenyl group, having from about 8 to about 30 carbon atoms, wherein the oil-soluble aliphatic tertiary amine is present in an amount from about 0.5 to about 8 percent by weight, and wherein the power transmission fluid exhibits improved friction durability relative to a power transmission fluid not containing the tertiary amine in an amount from about 0.5 to about 8 percent by weight; and

combining the additive composition with the transmission fluid.

21. (ORIGINAL) The method of claim 20, wherein the fluid has improved durability compared to a transmission not containing the ashless dispersant and the oil-soluble aliphatic tertiary amine.

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22. (ORIGINAL) The method of claim 20, wherein the base oil comprises one or more of a natural oil, a mixture of natural oils, a synthetic oil, a mixture of synthetic oils, and a mixture of natural and synthetic oils.

23. (ORIGINAL) The method of claim 22, wherein the natural oil comprises one or more of a mineral oil, a vegetable oil, and a mixture of mineral oil and vegetable oil.

24. (ORIGINAL) The method of claim 22, wherein the synthetic oil comprises one or more of an oligomer of an alphaolefin, an ester, an oil derived from a Fischer-Tropsch process, a gas-to-liquid stock, and a mixture thereof.

25. (ORIGINAL) The method of claim 20, wherein the base oil has a kinematic viscosity of from about 2 centistokes to about 10 centistokes at about 100° C.

26. (PREVIOUSLY AMENDED) The method of claim 20, wherein R2 and R3 independently contain from about 10 to about 30 carbon atoms.

27. (ORIGINAL) The method of claim 20, wherein R2 and R3 independently contain from about 12 to about 30 carbon atoms.

28. (PREVIOUSLY AMENDED) The method of claim 20, wherein the oil-soluble aliphatic tertiary amine is present in an amount from about 0.5 to about 4 percent by weight.

29. (ORIGINAL) The method of claim 20, wherein the oil-soluble aliphatic tertiary amine is present in an amount from about 0.5 to about 1.5 percent by weight.

30. (ORIGINAL) The method of claim 20, wherein providing the additive composition comprises providing an additive composition further comprising one or more of an antioxidant, an antiwear agent, a friction modifier, an antifoam agent, and a corrosion inhibitor.

31. (ORIGINAL) The method of claim 20, wherein the ashless dispersant comprises one or more of a hydrocarbyl succinimide, a hydrocarbyl succinamide, a polyol ester, a mixed ester/amide of hydrocarbyl substituted succinic acid, and a Mannich condensation product of hydrocarbyl-substituted phenols, a formaldehyde, and a polyamine.

32. (ORIGINAL) The method of claim 20 further comprising:

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subjecting the fluid to oxidative and thermal stressing.

33. (ORIGINAL) The method of claim 20, wherein improving the durability of the transmission fluid includes improving anti-rattle performance of a continuously variable transmission fluid.

34. (ORIGINAL) The method of claim 20, wherein improving the durability of the transmission fluid includes improving dynamic friction in a 6-speed transmission fluid.

35. (ORIGINAL) The method of claim 20, wherein improving the durability of the transmission fluid includes improving anti-shudder durability in continuously slipping torque converter clutch fluid.

36. (ORIGINAL) The method of claim 20, wherein the transmission fluid is suitable for use in a transmission employing one or more of a slipping torque converter, a lock-up torque converter, a starting clutch and one or more shifting clutches.

37. (ORIGINAL) The method of claim 20, wherein the transmission fluid is suitable for use in a belt, chain, or disk-type continuously variable transmission.